

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

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**IN RE: AQUEOUS FILM-FORMING  
FOAMS PRODUCTS LIABILITY  
LITIGATION**

)  
) MDL No. 2:18-mn-2873-RMG  
)  
) **This Document Relates to:**  
)  
) *City of Camden, et al. v. BASF Corporation,*  
) Case No. 2:24-cv-03174-RMG  
)  
) *City of Camden, et al. v. Tyco Fire Products*  
) *LP, Case No. 2:24-cv-02321-RMG*  
)

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**NOTICE OF INTENT TO APPEAR AT FINAL FAIRNESS HEARINGS**

I and Marten Law LLP are counsel to the City of Vancouver, Washington; City of Airway Heights, Washington; Lakewood Water District, Washington; and The Metropolitan Water District of Southern California (“Metropolitan”) (collectively, “Objectors”).

On August 23, 2024, Objectors, through the undersigned, timely objected to the Proposed Tyco Fire Products LP Settlement (Dkt. 5767) in accordance with the requirements set forth in the Amended Order Granting Preliminary Approval of the Settlement Agreement (Dkt. 5147).

On September 13, 2024, Objectors, through the undersigned, timely objected to the Proposed BASF Corporation Settlement (Dkt. 6156) in accordance with the requirements set forth in the Order Granting Preliminary Approval of the Settlement Agreement (Dkt. 5253).

As required by the Court’s October 28, 2024, Orders (Dkts. 6309 & 6310), I hereby provide notice that I intend to appear and speak at the Tyco and BASF Final Fairness Hearings on behalf of Lakewood Water District, the City of Vancouver, and the City of Airway Heights. Metropolitan timely submitted Requests for Exclusion from the Tyco and BASF Settlement Agreements and has requested but not received confirmation from counsel for Tyco and BASF that each defendant

considers effective and will not challenge Metropolitan’s Requests for Exclusion.<sup>1</sup> I therefore conditionally notify the Court that—absent such confirmations from counsel for Tyco and BASF before November 1, 2024—I also intend to appear and speak on Metropolitan’s behalf at the Tyco and BASF Final Fairness Hearings.

Dated: October 30, 2024.

Respectfully submitted:

/s/ Jeff B. Kray

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<sup>1</sup> See Tyco Agreement ¶ 8.6 (Although the Opt Out Administrator “will be responsible for determining the compliance of any Request for Exclusion,” “Tyco, Tyco’s Counsel, and Released Parties . . . are not subject to the authority of the Opt Out Administrator.”); BASF Agreement ¶ 8.6 (same, as to “BASF, BASF’s Counsel, and Released Parties”).

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was filed with this Court's CM/ECF system and was thus served electronically upon all registered counsel of record.

Dated: October 30, 2024.

/s/ Jeff B. Kray

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